

PES-0055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Trent M. Molter, et al.)
SERIAL NO.: 09/909,846) Group Art Unit:
FILED: July 20, 2001) 1745
FOR: PROTON EXCHANGE MEMBRANE)
ELECTROCHEMICAL CELL SYSTEM)

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Commissioner for Patents
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT
PURSUANT TO 35 U.S.C. §121

Sir:

This is in response to the Restriction Requirement dated June 2, 2003. The Examiner contends that the above-identified application comprises three patentably distinct species: Species I, Claims 1-6, 13, and 16-23, drawn to a compression member with two surfaces; Species II, Claims 7-11, drawn to a bus plate having a terminal portion; and Species III, Claims 24-33, drawn to a frame member. Claims 12, 14, and 16 have been deemed generic. Pursuant to 35 U.S.C. §121 the Examiner requires election of a single species for prosecution on the merits.

Accordingly, pursuant to 35 U.S.C. §121, Applicants hereby elect the Species III, which corresponds to Claims 24-33. This election is being made without prejudice to Applicants' rights with respect to Claims 1-23, Species I and II, including the right to file divisional applications thereon. Applicants note that Claims 12-17 are generic.

If there are any charges with respect to this Restriction Requirement, or otherwise, please charge them to Deposit Account No. 05-1130.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. PES-0055	
Applicant(s): Trent M. Molter, et al.				
Serial No. 09/909,846	Filing Date July 20, 2001	Examiner S. Kalafut	Group Art Unit 1745	
Invention: PROTON EXCHANGE MEMBRANE ELECTROCHEMICAL CELL SYSTEM				
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I hereby certify that this <u>Response to Restriction Requirement (2 pgs.)</u> <small>(Identify type of correspondence)</small>				
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on <u>June 26, 2003</u> <small>(Date)</small>				
<div style="text-align: center;"><u>Diane W. Kuzmickas</u> <small>(Typed or Printed Name of Person Signing Certificate)</small> <u>Diane W. Kuzmickas</u> <small>(Signature)</small></div>				
<p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				